

LAW OFFICES OF

HUBER LAWRENCE & ABELL

605 THIRD AVENUE

NEW YORK, N. Y. 10158

TELEPHONE

(212) 682-6200

FACSIMILE

(212) 661-5759

WASHINGTON OFFICE

1001 G STREET, N.W.

WASHINGTON, D.C. 20001

(202) 737-3880

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JOHN TROJANOWSKI
HEIDI WERNITZ*
COUNSEL

ADAM BARTSCH
WILLIAM D. BOOTH
DANIEL S. BROWN
KATHERINE W. CONSTAN
SERENA C. DIGNAN
THEODORE F. DUVER
ANDREW D. FISHER
ARYEH B. FISHMAN
DAVID H. HARRISON
JOHN R. MATSON, III*
MARGARET MAYORA
ANDREA MENDEZ
ERIC W. NELSEN
*NOT ADMITTED IN NEW YORK

212-455-5513

msiegel@huberlaw.com

October 5, 2001

Mr. Rafael A. Casanova, Remedial Project Manager
U.S. Environmental Protection Agency, Region 6
Superfund Division (6SF-AP)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

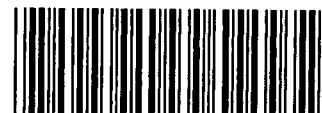
Re: Star Lake Canal Superfund Site
Response of Ameripol Synpol Corporation to Information Request Pursuant to Section
104(e) of CERCLA

Dear Mr. Casanova:

This firm is counsel to Ameripol Synpol Corporation ("ASC"). This letter will respond to some of the questions asked in your correspondence of July 17, 2001 seeking information regarding the potential responsibility of ASC for the release or threatened releases of hazardous substances, pollutants or contaminants at the Star Lake Canal Superfund Site (the "Site") in Groves, Texas. By agreement with Mr. Edwin Quinones, Attorney, United States Environmental Protection Agency ("USEPA"), Region 6, Office of Regional Counsel, ASC will complete its response on or before October 16, 2001.

Pursuant to the USEPA's request for information, ASC has searched all available documentation. Based upon searches of its files and discussions with employees, ASC has no reason to believe that it contributed to the pollution of the Site. As set out in our letter to the USEPA dated August 8, 2001, ASC did not own or operate its Port Neches plant before

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December 1992. ASC has never directly discharged its process water into the Star Lake Canal or any of the other waterbodies that comprise the Site. For the entire time that ASC has owned the plant, all process wastewater discharges have been to a wastewater treatment plant operated by Huntsman Petrochemical Corporation. While ASC does discharge storm water into the Jefferson Canal, this discharge is governed by a permit and ASC has complied with the terms and limitations of such permit.

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QUESTIONS: PART A

Question A.1

Identify all parent corporations and all subsidiaries of the Respondent.

ASC is a subsidiary of GVC Holdings, Inc. ASC has two subsidiaries: Engineered Carbons, Inc. and Mallard Creek Polymers, Inc.

Question answered by:

Michael Siegel, Esq. ("MS")

Huber Lawrence & Abell

605 Third Avenue

New York, New York 10183

Other individuals consulted or relied upon:

Daniel Brown, Esq. ("DB")

Huber Lawrence & Abell

605 Third Avenue

New York, New York 10183

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Question A.2

Identify all the prior owners and operators of the facility, if known to you. For each prior owner or operator include the following information:

- a. The date of ownership and/or operation;*
- b. The nature of their ownership or operation of the Facility; and*
- c. All evidence that a hazardous substance was released from the Facility into the Site during the period that they owned or operated the Facility.*

The Port Neches facility was built in 1943 by the U.S. government to relieve the natural rubber shortage caused by World War II. Originally, the U.S. government built two identical, side-by-side facilities to produce synthetic rubber, the north and south plants. In 1955, the U.S. government privatized all synthetic rubber plants, with the south plant being purchased by B.F. Goodrich ("Ameripol") and the north plant being acquired by Uniroyal Tire ("Synpol"). Each plant was operated independently until August 1986 when B.F. Goodrich and Uniroyal Tire merged to form Uniroyal Goodrich Tire Company ("UGTC") and consolidated the two plants to form Ameripol Synpol Company, a division of UGTC. In May 1990, Michelin purchased UGTC. Until its sale to GVC in December 1992, the plant was operated as a division of UGTC, which was an approximate 96% owned subsidiary of Michelin. GVC Holdings purchased Ameripol Synpol from Michelin North America, Inc. in December 1992. ASC does not have any evidence and has not located any records indicating that any hazardous substances were released from the Facility into the Site during any of these periods of prior ownership.

Question answered by: MS

Other individuals consulted or relied upon: DB and

R. Greg Berwick ("RGB")
Manager of Environmental, Health & Safety
Ameripol Synpol Corporation
Port Neches, Texas 77651

The materials consulted in the preparation of this answer will be included in the group of documents that ASC will provide in response to question A.3, on or before October 16, 2001.

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Question A.4.a

Provide the following information about the Facility during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following:

a. Groundwater wells, including drilling logs;

To ASC's knowledge, the only groundwater monitoring information that exists for the facility is the Soil and Groundwater Investigation, conducted during the due diligence performed as part of its acquisition from Uniroyal Goodrich during 1992. That report is enclosed.

Groundwater monitoring data is available for the Orchard Road Landfill owned by ASC. Texas Natural Resource Conservation Commission ("TNRCC") Permit SW-39062 applies to this landfill facility and monitoring requirements are contained within that document. A copy of the current permit is provided in response to question A.7.

Question answered by: RGB and MS

Documents provided in support of this response:

- Harding-Lawson Associates Soil Investigation Report (August 20, 1980) (Includes soil classification data and boring logs for groundwater monitoring wells.)
- Cook-Joyce Inc. Groundwater Sampling Report (March 2001) (Includes recent and historical data for eighteen groundwater-monitoring wells at the landfill facility.)
- Soil and Groundwater Investigation of Ameripol Synpol Synthetic Rubber, Port Neches, Texas, prepared by Pilko & Associates, Inc. (November 1992)

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Question A.4.b

Provide the following information about the Facility during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following: Location of all outfalls, active and inactive, including coordinates and dates of use;

Three current outfalls are applicable to industrial activity at the Port Neches facilities of Ameripol Synpol Corporation (ASC).

Stormwater from the Plant site is discharged through Outfall 001, as identified in NPDES Permit TX 0087602 and TNRCC Permit 02487. This outfall is currently in use and has been, to the best of ASC's knowledge, in essentially continuous use as a stormwater discharge point since construction of the Port Neches SBR Plant in 1943. This outfall discharges directly to Segment 601 of the Neches River. The coordinates for this outfall are: Latitude – 29° 50' 36"; Longitude – 93° 56' 31".

Industrial effluent from the Plant is discharged after treatment at the Joint Wastewater Treatment Plant ("JWWTP"), partially owned by ASC but operated by Huntsman Petrochemical Corporation. While the JWWTP has several outfalls, ASC contributes only to the discharge of treated water at Outfall 301. This outfall is currently in use and has been, to the best of ASC's knowledge, in essentially continuous use since commencement of operations at the JWWTP during 1976. Discharges from Outfall 301 co-mingle with other discharges in the Jefferson Outfall Canal and Star Lake Canal. Between 1943 and 1976, industrial effluent discharges of untreated water occurred at essentially the same location, informally referred to as Outfall 003. The coordinates for Outfall 301 are: Latitude – 29° 58' 30"; Longitude – 93° 56' 46".

Stormwater from the Orchard Road Landfill is discharged via Outfall 001, as identified within TNRCC Permit 03333. This outfall has been the discharge point for landfill stormwater since initiation of industrial activity at the Orchard Road Landfill. To the best of ASC's knowledge, industrial activity was initiated on the present site during 1971. Stormwater discharges were originally permitted with issuance of Texas Department of Water Quality Permit SW-39062 during 1986. The landfill has been closed to industrial activity since 1996, and monitoring of stormwater discharges is no longer required. The coordinates for Outfall 001 at the Landfill are: Latitude – 29° 58' 10.5"; Longitude – 93° 55' 28.8".

Question answered by: RGB

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Question A.4.c

Provide the following information about the Facility during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following: Past and present storm water drainage systems (including subsurface disposal fields, and other underground structures). Also include where, when, and how such systems were emptied;

Current and historical (since 1970's) stormwater management at the Port Neches Plant involves the following approach. Stormwater that collects in non-process areas is allowed to discharge directly to Outfall 001 at the Neches River via a system of open ditches. Stormwater that collects in process areas is contained in a series of discrete sumps and basins. This collected water is pumped to the industrial effluent system for treatment at the JWWTP, along with direct process wastewater discharges. Prior to 1999, there was one exception to this containment and treatment system. By design, a stormwater detention basin (B Basin) in the South Unit of the Plant, allowed overflows of stormwater during periods of intense rainfall. These overflows commingled with normal stormwater discharges at Outfall 001. In 1999, these potential overflows were eliminated by modifications to B Basin.

Question answered by: RGB

Documents provided in support of this response:

- Cook-Joyce Inc. Groundwater Sampling Report (March 2001) (Includes recent and historical data for eighteen groundwater-monitoring wells at the landfill facility) was provided in response to Question A.4.a.
- A separate narrative entitled "Facility Stormwater Drainage"
- A highlighted drawing of the plant stormwater system (No. E-0100-009 Rev. A)

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Question A.4.d

Provide the following information about the Facility during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following: Past and current maps, photographs, and drawings of the Facility in your possession that show the historical development, growth, or change of the Facility from its inception up to its current state. This information shall include past and current aerial photographs of the Facility or parts of the Facility for this purpose.

There has been relatively little change to the Port Neches Facility since commencement of operations in 1943. Two significant modifications can be identified. One was the addition of carbon black handling facilities necessary for the incorporation of carbon black into some latex products. The other was the construction of the "hot rubber" process, entailing reaction and processing variations differing from the more common latex production methods. Both of these facility modifications were accomplished in the late 1960's, and remain in operation currently.

Question answered by: RGB

Documents provided in support of this response:

- A highlighted drawing of the plant stormwater system (No. E-0100-009 Rev. A) is provided in response to Question A.4.c.
- Plant drawings and aerial photographs (where available) will be provided with the remainder of ASC's response, due on or before October 16, 2001.

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Question A.5

Identify all past and present solid waste management units which have had releases of hydraulic connections (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on or about the Facility to the Site during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following:

- *A map showing the boundaries and locations of all known active/inactive solid waste management units whether they are currently in operation, not in operation, open to the atmosphere, backfilled, or buried. This map should be drawn to scale, if possible, and shall clearly indicate the exact location of each unit with respect to the major features of the Facility;*
- *The types of units, including their sizes (including vertical and horizontal dimensions) and capacities (including gallon, barrels, cubic and square feet);*
- *The dates that the units were in use;*
- *The purpose and the current/past usage (e.g., disposal, storage, or spill containment, etc.) of the units;*
- *The quantity and types of materials (e.g., hazardous substances and any other chemicals) located in each unit;*
- *The construction (e.g., materials and composition, liners, leak detection systems, etc.), dates of cleaning, and the condition of each unit;*
- *If a unit is no longer in use, how each unit was closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit; and*
- *Corrective action initiated voluntarily or required by Federal, State or local laws or regulations.*

All known active/inactive solid waste management units ("SWMU") are identified on the attached list and located on a corresponding plot of the Facility, also enclosed. Also included are data on typical waste streams managed within these units.

Question answered by: RGB

Other individuals consulted or relied upon:

James Hawkins ("JH")

Senior Environmental Engineer

Ameripol Synpol Corporation

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Documents provided in support of this response:

- All known active/inactive solid waste management units (SWMU) are identified on the attached list
- A corresponding plot of the Facility
- Data on typical waste streams managed within these units

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Question A.6

Identify all leaks, spills, or releases of any hazardous substances from the Facility into the Site during the time the Respondent owned, operated, or leased the Facility or portion thereof. This information shall included, but not be limited to, the following:

a. When and where such releases occurred (e.g., from the surface impoundments). This information shall include maps, drawings, and aerial photographs of the exact location of these releases;

As agreed to with Mr. Edwin Quinones, Attorney, USEPA Region 6, ASC has limited the scope of its response to releases of hazardous materials that had the potential to impact soil and water media within the Facility. Atmospheric releases of 1,3-butadiene or ammonia are not identified in this response.

Two hazardous substances have historically been released to soil media within the Facility. These are identified as styrene and sulfuric acid. Most releases of these materials have been below the 1000 pound RQ level established for these compounds. Since ASC has owned the Facility, the only hydraulic connection to the Star Lake Site has been via the permitted discharge of effluent through the JWWTP currently operated by Huntsman Petrochemical Corporation.

A plot of the Port Neches Plant that identifies the location of applicable releases of hazardous materials, copies of regulatory reporting material related to these releases, and results of any investigations or testing conducted will be provided with the remainder of ASC's response, due on or before October 16, 2001.

Question answered by: RGB

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Question A.7

Provide copies of all Federal, State, and local environmental permits ever granted for the Facility and the activities at the Facility (e.g., RCRA and NPDES, dredging permits, etc.) during the time the Respondent owned, operated or leased the Facility or a portion thereof.

For purposes of this response and based upon our discussions with the Agency, ASC has assumed that air media permits are not applicable. If that assumption is incorrect, ASC will provide copies of those permits. ASC has also not provided copies of any permits applicable to the JWWTP currently operated by Huntsman Petrochemical Corporation, as Huntsman is also a Respondent to this CERCLA 104(e) request.

The only applicable permits are those issued for waste disposal activities at the Orchard Road Landfill and stormwater discharge permits for both the Landfill and the Port Neches Plant. Copies of those permits are attached. A search of ASC's files during this investigation did not yield copies of all previous permits, but did produce some historical documents.

Question answered by: RGB

Documents provided in support of this response:

Current Permits

- NPDES Permit TX0087602 (Plant Site) (dated March 4, 1994)
- State Permit 02487 (Plant Site) (dated Dec. 1, 1993)
- State Solid Waste Permit 39062 (Landfill) (dated January 15, 1993)
- State Discharge Permit 03333 (Landfill) (dated June 23, 1993)

Prior Permits

- NPDES Permit TX0087602 (Plant Site) (dated June 12, 1987)
- State Permit 02487 (Plant Site) (dated November 3, 1987)
- State Solid Waste Permit 39062 (Landfill) (dated March 17, 1989)
- NPDES Application (Landfill) Acknowledgement Letters (dated Feb. 2, 1984 & Aug. 19, 1986)

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Question A.8

Provide copies of all past and current reports or information related to ground water or surface water contamination which may impact or have impacted the waters of Star Lake and Jefferson Canals, Groves Drainage Ditch, and Molasses Bayou, including each surface water body's sediments.

As set out in response to Question A.4 above, the only groundwater data that ASC has is in a Pilko report, conducted as a result of due diligence activities in 1992, and in its monitoring of the Orchard Road Landfill. All related documents are enclosed in response to question A.4.

Question answered by: RGB

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Question A.9

Has Respondent performed any sampling of the sediments mentioned in Question 8? If so, and the results were submitted to the Texas Natural Resource Conservation Commission (TNRCC) or EPA, please identify the sampling results documents so they can be retrieved and reviewed by EPA. If the results were not submitted to TNRCC or EPA, please provide them to EPA.

The only sampling conducted by ASC was actually splitting of samples collected by TNRCC during the initial 1996 and 1998 investigations at Star Lake. Both ASC and Huntsman participated in the splitting of these samples. At this time, ASC has been unable to locate those sampling results. ASC hopes to include the data in its submission due on or before October 16, 2001.

Question answered by: RGB

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Based on the information set out above and the information that will be sent on or before October 16, 2001, ASC does not believe that it should be considered as a potentially responsible party with respect to the Star Lake Canal site.

Please call me at (212) 455-5513 or Seth Davis at (212) 455-5525 if we may be of additional assistance.

Very truly yours,


Michael S. Siegel

attachments

cc (w/o attachments):

Mr. Edward Quinones, Attorney
United States Environmental Protection Agency
Region 6, Superfund Division (6RC-S)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733